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for solving a logical difficulty. But the makers of the Declaration of Independence were stating a fact and not merely dealing in logic.

The volume fitly closes with Mr. Bryce's Inaugural Address as Regius Professor of Civil Law at Oxford in 1870 and his Valedictory upon the resignation of the office in 1893. In his inaugural, Mr. Bryce prophesies various practical advantages from the study of civil law which in his valedictory he frankly confesses have not been fulfilled. But any one who reads these essays will perceive that the study has other uses which the ardent youth of thirty years of age had not fully realized. With all his knowledge of law Mr. Bryce has remained an historian. And more than any other writer of our day he has shown how law may be used to illuminate history.

JESSE MACY.

Imperium et Libertas. A Study in History and Politics. By BERNARD HOLLAND. (London: Edward Arnold. 1901. Pp. 379.)

A FEELING has been gaining ground in England of late years that the future of the country as one of the great powers of the world depends upon maintaining the empire across the sea, and especially that part of it which consists of self-governing colonies. In sharp contrast with opinions current fifty years ago, Englishmen to-day believe not only that the connection with those colonies will be permanent, but that it ought to become closer and stronger as time goes on. They feel that the problem of consolidating the empire is one which must be seriously considered in the immediate future; and this, with the conviction that the American Revolution was a misfortune due to a mistaken policy, has produced much study of the course of British colonization in the past. Mr. Holland's book, which has resulted from such a train of thought, contains a survey of some important phases in the history of the British possessions, together with an examination of the present and future relations to the mother country of the self governing colonies. The work is the more interesting because the author is sensible of many of the difficulties of the problem, and makes no attempt to minimize them or explain them away.

The main body of the book is divided into four parts. The first of these deals with the American Revolution, and presents, not a history of that struggle, but a history of the political ideas on the relations between the mother country and the colonies which preceded and accompanied that struggle. The author shows how general was the feeling in England that the colonies "must be dependent in all points upon the Mother Country, or else not belong to it at all," and how this antithesis led to irreconcilable claims which resulted finally in the independence of the United States. He points out that this came about without any pre-existing desire for separation on the part of the colonies. He discusses the prevalent distinction between the regulation of commerce and taxation for revenue, and quotes statements of Grenville, Burke, Jefferson, Franklin, and many others, on the true constitutional position of the British Parliament and the colonial legislatures. His conclusion of the matter is contained in the following paragraph (p. 88):

"In short the whole problem of the relation of a colony to the Mother Country, in such a way as to reconcile the theoretic claim of the Imperial Parliament to supremacy with the practical autonomy of the colonies, which has since then been slowly worked out, was presented for immediate solution to a generation insufficiently equipped by experience or reflection to solve it."

The second part of the book treats of Canada, and traces its history from the time of the conquest—dealing, of course, at some length with Lord Durham's famous report, and the ultimate fulfilment of his recommendations for government by a responsible ministry in the days of his son-in-law, Lord Elgin. This story is well and interestingly told, and is an excellent summary of the history of the growth of self-government in Canada. It ends with a chapter on the creation of the Dominion by the British North American Act of 1867; and we may note here that the texts both of this Act and of the new Commonwealth of Australia Act of 1900, with which some comparisons are made, are printed in full in appendices to the book.

Part the third deals with the history of the union with Ireland, and the question of Home Rule; and in it the author dwells upon the objections to Mr. Gladstone's two measures arising from the fact they retained in the imperial Parliament the control of the English and Scotch affairs, so that the Irish were either to have no representation in that Parliament, or else were to have a voice in the domestic policy of the other two kingdoms. In short, his objection to the measures rests on the ground that they would have given an exceptional position to Ireland without establishing a true confederation; and he quotes leading opponents of Home Rule in favor of a real federal system. He urges as the true solution of the problem a system in which England, Scotland, Ireland, and possibly Wales, should bear the same relation to a central authority that the provinces in Canada do to the Dominion.

The fourth and last part of the book is devoted to the present problem of the Empire. The author recognizes that the existing condition is unsatisfactory. "That the present system" he says (p. 273) "has hitherto worked well is due partly to the fact that the colonies are only of late coming of age, and partly to the fact that, since the Crimea, England has engaged in no war with a Great Power, nor with a great rival since Trafalgar, and that foreign policy has run tolerably smoothly." At the same time, he perceives the obstacles, economic and financial, that stand in the way of any change. He sees that the colonies want discriminating duties in their favor which it is difficult for England to grant; and that, on the other hand, they contribute very little to the military defence of the Empire, which they must do if they are to be admitted to real partnership. He sees also the political difficulties in the way of a closer union, for he shows the futility of proposing to give the colonies representatives in the existing Parliament of the United Kingdom, and adds that a federal Parliament for the whole Empire will for a long time, at least, remain impossible. The solution he offers is that of Mr.

Chamberlain, a council of delegates plenipotentiary from the different parts of the Empire. Such a council, according to Mr. Holland, would resemble the German *Bundesrat*; but it would probably be more nearly akin to the Diet of the old Germanic Confederation than the Federal Council of the present Empire. In fact, an organization so constituted would necessarily be very loose.

Like almost all writers on the subject, Mr. Holland does not appear to be sufficiently alive to two factors in the problem. One is, that as in the case of most other recent confederations, considerable sacrifices, real or apparent, will be necessary on the part of the members of the Empire if any true federal government is to be attained. The other is, that the United Kingdom and the English-speaking colonies are not the whole, they are in fact a small part, of the Empire; and it cannot be assumed that the position of the rest will settle itself. In the "General Observations" with which the book opens, Mr. Holland remarks (p. 14): "In the British Empire, apart from India, we have learned by a most costly experience, to concede to the colonies the fullest liberty consistent with the maintenance of the common tie." But this is in fact true only of a small part of the colonies. Leaving out not only India, but all those colonies adjacent to India, such as Ceylon and the Federated Malay states, the vast proportion of the people of the English dependencies have not self-government. The population of the West Indies, Egypt, and the English possessions in tropical Africa, far outnumbers that of Canada, Australia and the Cape; and it is by no means clear that the placing upon a satisfactory footing of the relations between England and the colonies with a responsible government, difficult as that is, would solve the problem of the British Empire.

A. L. LOWELL.

Oxford Studies. By JOHN RICHARD GREEN. Edited by Mrs. J. R. GREEN, and Miss K. NORGATE. (London: Macmillan and Co.; New York: The Macmillan Co. 1901. Pp. xxxii, 302.)

ONLY the first of these papers can be regarded as strictly historical. The rest are collections of the anecdotes and gossip of Oxford in the eighteenth century which was the nadir of academic decadence or of the social and economical peculiarities of the period. The first paper deals with the infancy of the medieval city, a subject on which Mr. Green's authority is first rate. Perhaps it is his antiquarian bias that makes him rather espouse the cause of the city against the university. He seems to think that the university stunted the growth of the city, stifled its municipal liberties, and prevented it from becoming a commercial center. What should have made Oxford a commercial center? Its district is purely agricultural. It is on the Thames; but so are other towns in the district, such as Abingdon and Wallingford, which nevertheless have not become commercial centers. What but the university in fact has been the making of Oxford? The boarding of so many students must surely have been a considerable article of commerce. That municipal authority should have to yield something to the exigencies of academical discipline